

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

5 Applicant(s): Ping-Wen Ong
Case: 11
Serial No.: 09/201,749
Filing Date: December 1, 1998
Group: 3696
10 Examiner: Ella Colbert

Title: Method and Apparatus for Resolving Domain Names of Persistent Web
Resources

15

REPLY BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
20 P.O. Box 1450
Alexandria, VA 22313-1450

25 Sir:

Appellant hereby replies to the Examiner's Answer, mailed May 29, 2008 (referred to hereinafter as "the Examiner's Answer"), in an Appeal of the final rejection of claims 1 through 28 in the above-identified patent application.

30

REAL PARTY IN INTEREST

A statement identifying the real party in interest is contained in Appellant's Appeal Brief.

RELATED APPEALS AND INTERFERENCES

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A statement identifying related appeals is contained in Appellant's Appeal Brief.

STATUS OF CLAIMS

A statement identifying the status of the claims is contained in Appellant's Appeal Brief.

STATUS OF AMENDMENTS

A statement identifying the status of the amendments is contained in Appellant's Appeal Brief.

5

SUMMARY OF CLAIMED SUBJECT MATTER

A Summary of the Invention is contained in Appellant's Appeal Brief.

STATEMENT OF GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

10 A statement identifying the grounds of rejection to be reviewed on appeal is contained in Appellant's Appeal Brief.

CLAIMS APPEALED

A copy of the appealed claims is contained in an Appendix of Appellant's Appeal Brief.

15

ARGUMENT

Argument No. 1

Regarding claim 1 (and claims 15, 16, 22, and 28), the Examiner asserts that there is a lack of clarity because "a time" could mean any time such as "a minute or a second or an hour or a day or a week or a month or a year when given its broadest reasonable interpretation."

Appellant notes that, in the context of the present invention, a person of ordinary skill would understand the meaning of the term "a time" and would understand the granularity of the time that is appropriate for each recitation of the term. For example, "a time associated with a desired version of said electronic document" could be accurate to minutes (in the case of a recent document) or years (in the case of a historic document).

Regarding claim 8 (and claims 15, 16, 22, and 28), the Examiner asserts that the "requested timestamp" and "requested version" could mean the "requested version of the domain name" in the last limitation of claim 8 when given its broadest interpretation.

Appellant notes that claim 8 specifically requires a *request*, a *requested domain name* and a *requested time-stamp*, and requires that the request includes the requested domain name and the requested time-stamp. Appellants finds *no* basis for an interpretation of the

limitation a “requested time-stamp” to mean “requested version of the domain name.” Appellant also find *no* recitation of the limitation “requested version” in claim 8.

Regarding claim 6, the Examiner asserts that the limitation “request is specified using a browser” is vague and unclear (as to) what “request is specified using a browser.”

5 Regarding the Examiner’s assertion that the cited limitation (“request is specified using a browser”) is vague and unclear, Appellant notes that there is only one instance of a request recited in claim 1, i.e. “a request for said electronic document,” and thus the cited term is clear and definite. The term suggested by the Examiner (a request for a “timestamp”) apparently refers to the term “requested timestamp” recited in claim 1 and is clearly *not* equivalent to the
10 term “request,” as would be apparent to a person of ordinary skill in the art.

Appellant respectfully requests withdrawal of the rejections under 35 U.S.C. §112, second paragraph.

Argument No. 2

The Examiner asserts that Amstein’s teaching at col. 19, lines 45-65, is
15 interpreted in reading on a request for an electronic document including a timestamp indicating a time associated with the desired version of the document and a domain name associated with the time-stamp because there is a timestamp, a version of the document, and a domain name with timestamp.

Appellant maintains that Amstein does not disclose or suggest a domain name
20 associated with timestamp such that *the requested domain name is different than the domain name of the identified server*, or such that *an address or machine of a desired version of said electronic document stored on a server corresponding to the requested time-stamp* (as a function of said requested time-stamp and said requested domain name) can be identified, *wherein the identified server has a redirected domain name that is different than the requested*
25 *domain name.*

Argument No. 3

With regard to claims 5 and 13, the Examiner asserts that Amstein discloses transmitting the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of the electronic document does not exist with
30 the requested time-stamp (col. 17, line 55, to col. 18, line 16; and col. 19, line 52, to col. 20, line 42). The Examiner asserts that the rationale for this assertion is that all of the claimed elements

were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

5 As previously noted, Amstein does *not* disclose or suggest requests containing time-stamps, and Appellant could find *no* disclosure or suggestion in Amstein of transmitting the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of the electronic document does not exist with the requested time-stamp. Furthermore, Appellant finds *no* disclosure of all the claimed elements in Amstein
10 or any known prior art (including identifying (for transmission) a version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp), and note that the Examiner has provided *no* motivation for combining the elements contemplated by the Examiner.

15 Appeal Brief Arguments

Drawings

 The drawings are objected to because FIG. 2 is not within the margin guidelines and FIGS. 2 and 6 are informal drawings.

 Appellant proposes to submit formal drawings that address the Examiner's
20 concerns upon resolution of the appeal.

Section 112 Rejections

 Claims 1, 6, 8, 12, 15, 16, 20, 22, 26, and 28 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Regarding claim 1 (and claims 15, 16, 22,
25 and 28), the Examiner asserts that there is insufficient antecedent basis for the limitation "a time." Regarding claim 8 (and claims 15, 16, 22, and 28), the Examiner asserts that there is insufficient antecedent basis for the limitations "a time" and "a desired version." Regarding claim 6, the Examiner asserts that the limitation "request is specified using a browser" is vague and unclear (as to) what "request is specified using a browser."

30 Regarding the antecedent basis rejections, Appellant notes that the cited limitations "a time" and "a desired version" are introducing the terms in the claims for the first

time and thus cannot lack antecedent basis. Appellant also notes that all instances of the terms “a time” refer to different times (although the times may have equal value), and that the instances of the terms “a desired version” refer to different desired versions (although one or more of the instances of a desired version may identify the same document).

5 Regarding the Examiner’s assertion that the cited limitation (“request is specified using a browser”) is vague and unclear, Appellant notes that there is only one instance of a request recited in claim 1, i.e. “a request for said electronic document,” and thus the cited term is clear. The terms suggested by the Examiner, i.e., “requested timestamp” and “requested version,” refer to a timestamp and version, respectively, and *not* to a “request.”

10 Appellant respectfully requests withdrawal of the rejections under 35 U.S.C. §112, second paragraph.

Independent Claims

 Independent claims 1, 15, 16, 22, and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Amstein, and independent claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kanfi in view of Amstein. With regard to claim 1, for example, the Examiner asserts that Amstein teaches all of the limitations (except that “the server is identified by the requested domain name” recited by claim 1). In particular, the Examiner asserts that Amstein discloses receiving a request for the electronic document, the request including a requested time-stamp indicating a time associated with a desired version of the electronic document and a requested domain name associated with said time-stamp (col. 19, lines 45-65); identifying as a function of said creation time-stamp and said requested time-stamp a desired version of said electronic document having a creation time corresponding to said requested time-stamp (col. 19, line 57, to col. 20, line 23); and identifying an address of said desired version of said electronic document stored on a server corresponding to the requested time-stamp as a function of said requested time-stamp and said requested domain name (col. 18, line 65, to col. 20, line 42; FIGS. 6A-6C), wherein a server identified by the requested domain name does not provide said desired version at a time of said request and said identified server has a redirected domain name that is different than said requested domain name (col. 24, lines 32-60; FIGS. 9 and 10).

30 First, Appellant notes that, in the text cited by the Examiner, Amstein teaches about the “attributes stored with the web meta information.” (Col. 19, lines 45-65.) Appellant

also notes that the cited web meta information is stored (col. 17, lines 55-col. 18, line 9) and updated (col. 24, lines 25-60). Amstein does *not*, however, disclose or suggest that the request includes a requested time-stamp indicating a time associated with a desired version of the electronic document or a requested domain name associated with said time-stamp.

5 Second, Amstein's disclosure regarding the "attributes stored with the web meta information" (col. 19, line 57, to col. 20, line 23) does *not* disclose or suggest identifying as a function of said creation time-stamp and said requested time-stamp a desired version of said electronic document *having a creation time corresponding to said requested time-stamp*, and does *not* disclose or suggest identifying an address of said desired version of said electronic
10 document stored on a server *corresponding to the requested time-stamp as a function of said requested time-stamp and said requested domain name*.

Finally, Appellant notes that the present invention provides a persistent domain name server that allows a user to refer to historical Web resources, for example, following a corporate merger or domain name change. If company A is merged into company B, all the web
15 pages referred through "www.A.com" may no longer be valid. The disclosed persistent domain name server utilizes the dated URL to determine where the historical information of company A is located for the requested time period and translates the request to a new machine containing the historical information of company A. See, Summary, final paragraph, and page 9, line 20, to page 11, line 11.

20 Amstein does **not** address the situation of redirecting a request containing a requested time stamp to a new domain, when the requested domain name no longer exists. Each of the independent claims emphasize that "a server identified by said requested domain name does not provide said desired version at a time of said request and said identified server has a redirected domain name that is different than said requested domain name." In fact, no
25 suggestion can be found in Amstein of redirecting a first requested domain www.A.com to a new domain name www.B.com.

As discussed in the specification on page 10, if company A is now part of company B (for example, following a merger), and a user requests the following URL, "http://www.A.com?time=2+2+1992," the "server identified by said requested domain name
30 does not provide said desired version at a time of said request." Thus, the request will be redirected to "123.2.3.222 redirect" (associated with company B), such that the "identified server

has a redirected domain name that is different than said requested domain name.”

In the text cited by the Examiner, Amstein teaches that “the document *meta information file is updated.*” (Col. 24, lines 32-60; emphasis added.) Appellant could find *no* disclosure or suggestion by Amstein that *the requested domain name is different than the domain name of the identified server*, or *receiving a request* for an electronic document, and *identifying an address or machine of a desired version of said electronic document stored on a server corresponding to the requested time-stamp* (as a function of said requested time-stamp and said requested domain name), *wherein the identified server has a redirected domain name that is different than the requested domain name.*

Thus, Amstein does not disclose or suggest that “a server identified by said requested domain name does not provide said desired version at a time of said request and said identified server has a redirected domain name that is different than said requested domain name,” as required by each of the independent claims, does not disclose or suggest receiving a request for said electronic document, said request including a requested time-stamp indicating a time associated with a desired version of said electronic document and a requested domain name associated with said time-stamp; identifying as a function of said creation time-stamp and said requested time-stamp a desired version of said electronic document having a creation time corresponding to said requested time-stamp; and identifying an address of said desired version of said electronic document stored on a server corresponding to said requested time-stamp as a function of said requested time-stamp and said requested domain name, wherein a server identified by said requested domain name does not provide said desired version at a time of said request and said identified server has a redirected domain name that is different than said requested domain name, as required by independent claims 1, 8, and 15, and does not disclose or suggest receiving a request for an electronic document associated with said requested domain name, said electronic document having multiple versions, each of said versions being identified by a creation time-stamp indicating a creation time of said corresponding version, said request including a requested time-stamp indicating a time associated with a desired version of said electronic document; identifying as a function of said creation time-stamp and said requested time-stamp a machine corresponding to a version of said requested domain name for a time period corresponding to said requested time-stamp, wherein a machine identified by said requested domain name does not provide said desired version at a time of said request and said

identified machine has a redirected domain name that is different than said requested domain name; and transmitting an indication of said identified machine storing said electronic document corresponding to said requested time-stamp, as required by independent claim 16, 22, and 28.

Appellant thus respectfully requests the withdrawal of the rejection under Section
5 103.

Claims 5 and 13

Claims 5 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amstein. With regard to claims 5 and 13, the Examiner asserts that Amstein discloses transmitting the version of said electronic document with the most recent creation time-stamp
10 preceding the requested time-stamp if a version of the electronic document does not exist with the requested time-stamp (col. 17, line 55, to col. 18, line 16).

As noted above, Amstein does *not* disclose or suggest requests containing time-stamps, and Appellant could find *no* disclosure or suggestion in Amstein of transmitting the version of said electronic document with the most recent creation time-stamp preceding the
15 requested time-stamp if a version of the electronic document does not exist with the requested time-stamp.

Thus, Amstein does not disclose or suggest transmitting the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of the electronic document does not exist with the requested time-stamp, as
20 required by claim 5 and 13.

Conclusion

The rejections of the cited claims under section 103 in view of Amstein and Kanfi, alone or in any combination, are therefore believed to be improper and should be
25 withdrawn. The remaining rejected dependent claims are believed allowable for at least the reasons identified above with respect to the independent claims.

The attention of the Examiner and the Appeal Board to this matter is appreciated.

Respectfully,



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APPENDIX

1. A method for providing an electronic document, said electronic document having multiple versions, each of said versions identified by a creation time-stamp
5 indicating a creation time of said corresponding version, said method comprising the steps of:
receiving a request for said electronic document, said request including a requested time-stamp indicating a time associated with a desired version of said electronic document and a requested domain name associated with said time-stamp;
identifying as a function of said creation time-stamp and said requested time-
10 stamp a desired version of said electronic document having a creation time corresponding to said requested time-stamp; and
identifying an address of said desired version of said electronic document stored on a server corresponding to said requested time-stamp as a function of said requested time-stamp and said requested domain name, wherein a server identified by said requested domain
15 name does not provide said desired version at a time of said request and said identified server has a redirected domain name that is different than said requested domain name.
2. The method according to claim 1, wherein an address identifying said electronic document includes said creation time-stamp.
20
3. The method according to claim 2, wherein said address is a Uniform Resource Locator ("URL").
4. The method according to claim 3, wherein said Uniform Resource
25 Locator ("URL") has an associated request header for indicating said requested time-stamp.
5. The method according to claim 1, further comprising the step of transmitting the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of said electronic document does not exist with
30 the requested time-stamp.

6. The method according to claim 1, wherein said request is specified using a browser.

7. The method according to claim 1, wherein said requested time-stamp is a relative time-stamp.

8. A system for storing an electronic document having multiple versions, each of said versions identified by a creation time-stamp indicating a creation time of said corresponding version, said system comprising:

10 a memory for storing said multiple versions of said electronic document in an archive of electronic documents; and

a processor operatively coupled to said memory, said processor configured to:

15 receive a request for said electronic document, said request including a requested domain name and a requested time-stamp indicating a time associated with a desired version of said electronic document;

identify as a function of said creation time-stamp and said requested time-stamp a desired version of said electronic document having a creation time corresponding to said requested time-stamp; and

20 identify an address of said desired version of said electronic document corresponding to said requested time-stamp as a function of said requested time-stamp and said requested domain name, wherein a server identified by said requested domain name does not provide said desired version at a time of said request and said identified address has a redirected domain name that is different than said requested domain name.

25 9. The system according to claim 8, wherein an address identifying said electronic document includes said creation time-stamp.

10. The system according to claim 9, wherein said address is a Uniform Resource Locator ("URL").

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11. The system according to claim 10, wherein said Uniform Resource Locator (“URL”) has an associated request header for indicating said requested time-stamp.

12. The system according to claim 8, wherein said request is specified
5 using a browser.

13. The system according to claim 8, wherein said processor is further configured to transmit the version of said electronic document with the most recent creation time-stamp preceding the requested time-stamp if a version of said electronic document does not
10 exist with the requested time-stamp.

14. The system according to claim 8, wherein said requested time-stamp is a relative time-stamp.

15. An article of manufacture for accessing an electronic document, said electronic document having multiple versions, each of said versions being identified by a creation time-stamp indicating a creation time of said corresponding version, said article of manufacture comprising:

a computer readable medium having computer readable program code means
20 embodied thereon, said computer readable program code means comprising program code means for causing a computer to:

receive a request for said electronic document, said request including a requested domain name and a requested time-stamp indicating a time associated with a desired version of said electronic document;

25 identify as a function of said creation time-stamp and said requested time-stamp a desired version of said electronic document having a creation time corresponding to said requested time-stamp; and

identify an address of said desired version of said electronic document corresponding to said requested time-stamp as a function of said requested time-stamp and said
30 requested domain name, wherein a server identified by said requested domain name does not provide said desired version at a time of said request and said identified address has a redirected

domain name that is different than said requested domain name.

16. A method for resolving a requested domain name, said method comprising the steps of:

5 receiving a request for an electronic document associated with said requested domain name, said electronic document having multiple versions, each of said versions being identified by a creation time-stamp indicating a creation time of said corresponding version, said request including a requested time-stamp indicating a time associated with a desired version of said electronic document;

10 identifying as a function of said creation time-stamp and said requested time-stamp a machine corresponding to a version of said requested domain name for a time period corresponding to said requested time-stamp, wherein a machine identified by said requested domain name does not provide said desired version at a time of said request and said identified machine has a redirected domain name that is different than said requested domain name; and

15 transmitting an indication of said identified machine storing said electronic document corresponding to said requested time-stamp.

17. The method according to claim 16, wherein an address identifying said electronic document includes said creation time-stamp.

20 18. The method according to claim 17, wherein said address is a Uniform Resource Locator ("URL").

25 19. The method according to claim 18, wherein said Uniform Resource Locator ("URL") has an associated request header for indicating said requested time-stamp.

20. The method according to claim 16, wherein said request is specified using a browser.

30 21. The method according to claim 16, wherein said requested time-stamp is a relative time-stamp.

22. A system for resolving a requested domain name, said system comprising:

a memory for storing a database identifying a machine storing an electronic document corresponding to said requested domain name for a plurality of time periods; and

5 a processor operatively coupled to said memory, said processor configured to:

receive a request for an electronic document associated with said requested domain name, said electronic document having multiple versions, each of said versions being identified by a creation time-stamp indicating a creation time of said corresponding version, said request including a requested time-stamp indicating a time associated with a desired version of
10 said electronic document;

access said database as a function of said creation time-stamp and said requested time-stamp to identify a machine corresponding to a version of said domain name for a time period corresponding to said requested time-stamp, wherein a machine identified by said requested domain name does not provide said desired version at a time of said request and said
15 identified machine has a redirected domain name that is different than said requested domain name; and

transmit an indication of said identified machine storing said electronic document corresponding to said requested time-stamp.

20 23. The system according to claim 22, wherein an address identifying said electronic document includes said creation time-stamp.

24. The system according to claim 23, wherein said address is a Uniform Resource Locator ("URL").

25 25. The system according to claim 24, wherein said Uniform Resource Locator ("URL") has an associated request header for indicating said requested time-stamp.

26. The system according to claim 22, wherein said request is
30 specified using a browser.

27. The system according to claim 22, wherein said requested time-stamp is a relative time-stamp.

28. An article of manufacture for resolving a requested domain name,
5 said article of manufacture comprising:

a computer readable medium having computer readable program code means embodied thereon, said computer readable program code means comprising program code means for causing a computer to:

10 receive a request for an electronic document associated with said requested domain name, said electronic document having multiple versions, each of said versions being identified by a creation time-stamp indicating a creation time of said corresponding version, said request including a requested time-stamp indicating a time associated with a desired version of said electronic document;

15 identify as a function of said requested time-stamp a server corresponding to a version of said domain name, wherein said version of said domain name is associated with a time period corresponding to said requested time-stamp, wherein a machine identified by said requested domain name does not provide said desired version at a time of said request and said identified machine has a redirected domain name that is different than said requested domain name;

20 identify a server associated with said domain name as a function of said requested time-stamp;

transmit an indication of said identified machine storing said electronic document corresponding to said time-stamp.

25 29. (Withdrawn) A method for identifying a domain of an electronic document, said method comprising the steps of:

receiving a request for said electronic document, said request including a requested time-stamp and a domain name, wherein said domain name is associated with a first domain for a first time period and a second domain for a second time period; and

30 identifying one of said first domain or said second domain utilizing a time indicated by said time-stamp.

30. (Withdrawn) The method according to claim 29, wherein said request includes an address identifying said electronic document.

5 31. (Withdrawn) The method according to claim 30, wherein said address is a Uniform Resource Locator ("URL").

10 32. (Withdrawn) The method according to claim 31, wherein said Uniform Resource Locator ("URL") has an associated request header for indicating said requested time stamp.

33. (Withdrawn) The method according to claim 29, wherein said request is specified using a browser.

15 34. (Withdrawn) The method according to claim 29, wherein said requested time-stamp is a relative time-stamp.

20 35. (Withdrawn) The method according to claim 29, further comprising the step of identifying an address of said electronic document utilizing said identified domain.

EVIDENCE APPENDIX

There is no evidence submitted pursuant to § 1.130, 1.131, or 1.132 or entered by the Examiner and relied upon by appellant.

RELATED PROCEEDINGS APPENDIX

Decision on Appeal for Appeal No. 2004-0395 of United States Patent
Application Serial No. 09/201,752 (Exhibit 1);

5 Decision on Appeal for Appeal No. 2004-1466 of United States Patent
Application Serial No. 09/342,408 (Exhibit 2); and

Decision on Appeal for Appeal No. 2004-1128 of United States Patent
Application Serial No. 10/099,121 (Exhibit 3).